

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN RAMIREZ CAMPOS,

Defendant.

CR. NO. S-95-0020 EJG

ORDER

Defendant, a federal prisoner proceeding pro se, has written a letter to the undersigned requesting the court to intercede on behalf of defendant in a matter involving his former attorney. This case is closed; nothing is currently pending before the court and there is no basis for the court's involvement. In addition, although the letter indicates that it has been copied to the U.S. Attorney as well as defendant's former counsel, the court considers it to be an improper ex parte communication. Accordingly, the court issues this order attaching a copy of the letter and directs that both documents be served on the United States Attorney, and the Federal Defender, as well as defendant's former counsel of record, Robert M. Holley.

IT IS SO ORDERED.

Dated: July 7, 2005


EDWARD J. GARCIA, JUDGE
UNITED STATES DISTRICT COURT

Juan Ramirez Campos
Reg. No. 07921-097
F.C.I. Texarkana (Unit G)
P.O. Box 7000
Texarkana, Texas 75505-7000

FILED

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**CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

June 28, 2005

Honorable Edward Garcia
Senior United States District Judge
United States District Court
Eastern District of California
UNITED STATES COURTHOUSE
501 I Street
Sacramento, California 95814-2322

RE: United States vs. Juan Ramirez-Campos, No. 2:95-CR-00020-EJG-ALL, In
the United States District Court for the Eastern District of California,
Honorable Edward Garcia, Senior Judge Presiding

Dear Judge Garcia:

This is not intended as an ex parte communication, and I understand that it is not customary for defendants to communicate directly with the Court. However, the circumstances are unavoidable, and I beg the Court's indulgence.

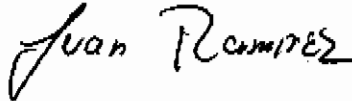
I have done all I can to obtain my file from my former counsel, Hon. Robert Miller Holley. I wrote Mr. Holley for this purpose in April, 2005. (Ex. A). After hearing nothing, I wrote him again in May, 2005. (Ex. B). My intent was to file a motion pursuant to the "rewind provision" of 28 USC § 2255 16(3), but my counsel did not respond, and I was unable to file in a timely manner.

Now, however, I have learned that a possible avenue for relief might be through Rule 60(b) F.R.Cv.P. I need my file. I hate bothering the Court with this little problem, and I know the Court is busy with important matters, but I cannot have an inmate here assist me in filing on my case without my file. I need an Order from this Court to Mr. Holley ordering him to turn over my file. I have attached a possible order for your signature.

Again, I apologize for contacting the Court directly, but I had no other choice. Thanking you in advance for your attention to this matter, and I remain,

Sincerely,

Juan Ramirez Campos
Pro Se



ATTACHMENTS

cc: FILE
U.S. Attorney
Robert Miller Holley

JRC/jl

Ex. A

Juan Ramirez-Campos
Reg. No. 07921-097
F.C.I. Texarkana (Unit G)
P.O. Box 7000
Texarkana, Texas 75505-7000

April 11, 2005

Robert Miller Holley
LAW OFFICES OF ROBERT M. HOLLEY
331 J Street, Suite 200
Sacramento, California 95814

RE: United States vs. Juan Ramirez-Campos, No. 2:95-CR-00020-EJG-ALL, In
the United States District Court for the Eastern District of California
Honorable Edward Garcia, Senior United States District Judge, Presiding

Mr. Holley:

You may recall that you represented me in the above-referenced case. I am in the process of trying to determine whether I might have some relief coming based on the recent decisions in BLAKELY v WASHINGTON and UNITED STATES v BOOKER. By my understanding I will have to file, if at all, under 28 USC § 2255 ¶6 §(3) no later than June 23, 2005, if a new rule that was not available to me at the time, which is now available to me. The rule of law I would be proceeding under would have first come available to me in BLAKELY, and therefore I need to file, if at all, by June 23, 2005. If I am mistaken on this I will appreciate your analysis.

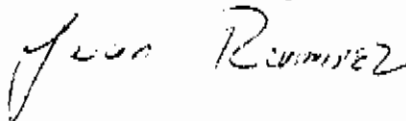
Anyway, what I need is my file. I have no paperwork on my conviction and sentence, and I need the following: (1) Indictment; (2) Jury Instructions on guilt/innocence; (3) Jury Verdict Form; and (4) Sentencing Transcript.

I know you understand that time is of the essence. I am running out of time, and I need to file within approximately sixty (60) days. Therefore, I will thank you to respond to this letter at your earliest convenience.

Thanking you in advance for your assistance, and I remain,

Sincerely,

Juan Ramirez-Campos



cc: FILE

JRC/jl

Ex, B

Juan Ramirez-Campos
Reg. No. 07921-097
F.C.I. Texarkana (G)
P.O. Box 7000
Texarkana, Texas 75505-7000

May 23, 2005

Robert Miller Holley
LAW OFFICES OF ROBERT M. HOLLEY
331 J Street, Suite 200
Sacramento, California 95814

RE: United States vs. Juan Ramirez-Campos, No. 2:95-CR-00020-EJG-ALL, In
the United States District Court, Eastern District of California, Hon.
Edward Garcia, Senior United States District Judge, Presiding

Mr. Holley:

I wrote you April 11, 2005 for my file. I am trying to file a motion
to vacate sentence pursuant to the "rewind" provisino of 28 USC §2255 ¶6(3),
but I cannot file that motion without my file.

I can wait no longer. The file is mine, not yours. Send the file, and
if you want to retain a copy, that will be fine, but within ten (10) days of
this letter I want you to send the file. You have no more obligation to me
than to send the file.

I do not want to, but if I have to, I will file a complaint for my
file. Please do not let it come to this. I have to file my motion no later
than June 23, 2005. Time is of the essence, and it is running out daily.

I hope you understand the urgency in this matter. Whatever you do,
send my file. Thank you.

Sincerely,

Juan Ramirez Campos
Pro Se

cc: FILE

JRC/jl